

2023 Comprehensive Plan Amendments Findings and Conclusions

Findings of Fact

1. **Proposal:** Ready Athletics LLC proposes amendments to section 17.31.070 of the Comprehensive Plan and Municipal Code. The amendments relate to:
  - a. Permitted uses in the M/C zone of the Rainier Subarea.
  - b. Health clubs, dance studios, martial arts studios, in the Rainier Subarea
2. **Location:** The proposed amendments apply to all M/C zoned property in the Rainier Subarea of Port Townsend.
3. **Environmental Review:** Amendments to the land use/development regulations are subject to review under the State Environmental Policy Act (SEPA). The SEPA Responsible Official issued a Determination of Non-Significance (DNS) (Exhibit B) on August 23, 2023. The SEPA comment period will expire on September 12, 2023.
4. **Commerce Review:** The City must notify the WA Department of Commerce of any proposed amendments to the comprehensive plan or development regulations. The City submitted the proposed amendments to Commerce on August 21, 2023. The City is awaiting further response from Commerce.
5. **Planning Commission Review:** Per PTMC Section 20.04.080 Planning Commission Hearing and 20.04.090 C. Planning Commission Review, the Planning Commission shall hold a public hearing on any Comprehensive Plan final docket and text amendments to the land use code. The Planning Commission must make a recommendation to City Council using the decision criteria set forth in PTMC 20.04.080.A.3 and 4 for site specific amendments. In accordance with PTMC Section 20.04.090(B), notice of the public hearing will be posted and published on August 23, 2023.
6. **Meetings:** Staff presented and refined amendments with the Planning Commission and City Council on the following dates:
  - May 25, 2023, Planning Commission Regular Meeting
  - July 26, 2023, Planning Commission Special Meeting
  - August 9, 2023, Planning Commission Special Meeting
7. **Public Hearing:** Public Hearings are scheduled on the following dates and will be duly noticed in the paper of record at least 10 days in advance of each hearing:
  - September 14, 2023 Public Hearing before the Planning Commission
  - September 28, 2023, Planning Commission Final Action on Proposed Comprehensive Plan Amendments
  - October 2, 2023, Public Hearing before City Council
  - October 16, 2023, City Council Second Reading of Proposed Comprehensive Plan Amendments

Findings and Conclusions

- a) **Whether the amendment will adversely affect the public health, safety and welfare in any significant way.**

**Finding:** The SEPA Responsible Official has reviewed the proposed amendments and issued a Determination of Non-Significance.

**Conclusion:** PCD Staff conclude that the proposed amendments will not adversely affect the public health, safety, and welfare in any significant way.

**b) Whether the proposed amendment is consistent with the GMA and adopted county-wide planning policies.**

**Finding:** The proposed amendment enacts the following GMA goals and CWPPs:

GMA Goal 1: “Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.” And CWPP #1: “The designation of urban growth areas (UGAs).”

The proposed amendments incentivize development in the Rainier Subarea, which has public facilities and services.

GMA Goal 2: “Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development” and CWPP #2: “Promotion of contiguous and orderly development and the provision of services to such development.”

The proposal is for a recreational use in an area that can support more development.

GMA Goal 5: “Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities” and CWPP #7: “County-wide economic development and employment.”

The proposed use would provide jobs that are currently not available in the Rainier Subarea. The projected number of employees is 20 per health club. This is a small but significant employment opportunity in a subarea that was designed for live-work development but has not seen enough employment or housing

GMA Goal 6: “Property rights. Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.”

The proposed amendments do not take private property or remove currently allowed uses from privately held property. Instead, it adds a new permitted use.

GMA Goal 11: “Citizen participation and coordination. Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.”

The proposed amendments do not impact citizen participation. However, citizens have provided feedback on the draft amendment through public comments and meetings with the Planning Commission.

**Conclusion:** Staff conclude that the proposed amendments are consistent with both the GMA and the CWPPs.

**c) Whether the proposed amendment reflects current widely held community values or resolves inconsistencies in the city's comprehensive plan.**

**Finding:** Public comment at Planning Commission meetings have noted a lack of recreational opportunities in the Rainier Subarea, which create a barrier to developing neighborhood character and make the subarea less appealing to developers and potential residents. Permitting these recreational uses in the M/C(S) zone would reflect the community's desire for recreational space.

**Conclusion:** Staff concludes that the proposed amendments support the widely held community value of access to nearby recreational space.

**d) Whether the proposed amendment would maintain the appropriate balance of land uses within the city.**

**Finding:** The proposed amendments to the Comprehensive Plan do not alter the balance of land uses within the City. Allowing health clubs in the M/C(S) zone does not conflict with other uses of the zone or the uses of neighboring zones.

**Conclusion:** Staff concludes that the proposed amendments will maintain the appropriate balance of land uses within the city.

**e) Whether the proposal implements the comprehensive plan; or alternatively**

**f) Since the adoption of the comprehensive plan, there has been a substantial change in circumstances related to the proposed amendment and/or the area in which it is located which warrants the proposal.**

**Finding:** The proposed amendments implement the following sections of the comprehensive plan:

*Comprehensive Plan Direction Statement:* “a great place to live.” The proposed amendment indirectly supports neighborhood development by allowing closer access to recreation opportunities in the Rainier subarea.

*Chapter 9 Economic Development Element:* The proposed amendment makes developing the M/C(S) zone more appealing to developers, which means these zones can be used by local businesses to implement Goal 1, fostering “a balanced, diversified, and sustainable local economy that contributes to Port Townsend's high quality of life.”

*Rainier Street & Upper Sims Way Subarea Plan:* The proposed amendment to M/C(S) implements Goal LU.5, “provide family-wage employment by promoting a variety of manufacturing and commercial uses across the subarea” by allowing a new commercial use that is compatible with the area’s other permitted uses.

**Conclusion:** Staff concludes that the proposed amendments implement the Comprehensive Plan’s goals for community direction, land use and economic development. The amendments also implement the Rainier Street & Upper Sims Way Subarea Plan.

**Recommendation**

Port Townsend Community Development Staff RECOMMENDS APPROVAL of the amendments to various sections of the Comprehensive Plan to

Respectfully submitted on behalf of Port Townsend Planning and Community Development,

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List of Exhibits